§ §

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ROBERT P. "SKIP" CUMMINS,

Plaintiff,

vs.

07-CV-4633 (JGK)

SUNTRUST CAPITAL MARKETS, INC., AMIT HAZAN, and JONATHAN BLOCK,

Defendants.

MOTION TO ADMIT COUNSEL PRO HAC VICE

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Nelson A. Boxer, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of

Robert R. Long ALSTON & BIRD, LLP One Atlantic Center 1201 West Peachtree Street Atlanta, GA 30309 Tel. (404) 881-4760 Fax (404) 253-8260

Robert R. Long is a member in good standing of the Bar of the States of Georgia and California.

There are no pending disciplinary proceedings against Robert R. Long in any State or Federal Court.

This 22<sup>nd</sup> day of June, 2007.

Respectfully submitted,

NELSON A. BOXER (NB 2762)

90 Park Avenue

New York, New York 10016

Tel. (212) 210-9400 Fax (212) 210-9444

Attorney for Defendants

# UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ROBERT P. "SKIP" CUMMINS,	§	
Plaintiff,	§ 8	
i lantin,	§	
vs.	§	07-CV-4633 (JCK)
CUNITALIST CADITAL MADIZETC DIC	§	
SUNTRUST CAPITAL MARKETS, INC.,	8	
AMIT HAZAN, and JONATHAN BLOCK,	§	AFFIDAVIT OF NELSON A. BOXER
5.0.1	§	IN SUPPORT OF MOTION TO
Defendants.	§	ADMIT COUNSEL PRO HAC VICE

State of New York )
) ss:
County of New York )

Nelson A. Boxer, being duly sworn, hereby deposes and says as follows:

- I am counsel for Defendants in the above-captioned action. I am familiar with the
  proceedings in this case. I make this statement in support of Defendants' motion
  to admit Robert R. Long as counsel pro hac vice to represent Defendants in this
  matter.
- 2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in 1988. Among other jurisdictions, I am admitted to the bar of the United States District Court for the Southern District of New York and I am in good standing with this Court.
- 3. Mr. Long is an attorney at Alston & Bird, LLP, in Atlanta, Georgia; I am a partner of Alston & Bird LLP, resident in New York.
- 4. I am informed that Mr. Long is an excellent attorney and a person of integrity, and I understand that he is experienced in Federal practice and is familiar with the Federal Rules of Civil Procedure.
- 5. Accordingly, I am pleased to move the admission of Robert R. Long, *pro hac vice*.
- 6. I respectfully submit a proposed order granting the admission of Robert R. Long, *pro hac vice*, which is attached hereto as **Exhibit A**.

WHEREFORE, it is respectfully requested that the motion to admit Robert R. Long, *pro hac vice*, to represent Defendants in the above-captioned matter, be granted.

This 22<sup>nd</sup> day of June, 2007.

Respectfully submitted,

NELSON A. BOXER (NB 2762)

90 Park Avenue

New York, New York 10016

Tel. (212) 210-9400 Fax (212) 210-9444

Sworn to and subscribed before me this 20 M day of June, 2007.

Notary Public My Commission Expires:

AUDREY C. JACKSON Notary Public, State of New York No. 31-4980961

Qualified in New York County Commission Expires April 29, 2011

# STATE BAR OF GEORGIA



Supporting Lawyers' Service to the Public and the Justice System

Mr. Robert Richard Long IV Alston & Bird LLP One Atlantic Center 1201 West Peachtree Street Atlanta, GA 30309

**CURRENT STATUS:** 

Active Member-Good Standing

DATE OF ADMISSION TO PRACTICE:

11/05/2004

Attorney Bar Number: 141546

Today's Date:

June 14, 2007

Listed below are the public disciplinary actions, if any, which have been taken against this member:

State Disciplinary Board Docket #

Supreme Court Docket #

Disposition

N/A

N/Å

N/A

The prerequisites for practicing law in the State of Georgia are as follows:

- -Must be certified by the Office of Bar Admissions, either by Exam, or on Motion (Reciprocity).
- -Sworn in to the Superior Court in Georgia, which is the highest court needed for individuals to practice law in the State of Georgia.
- -Enrolled with the State Bar of Georgia, which is an arm of the Supreme Court of Georgia.

Attorneys licensed in Georgia and whose membership is current are eligible to practice law in Superior Court. Attorneys may, upon application, apply for admission to the Supreme, District and State Court of Appeals.

Under the privacy/confidentiality provision of the Bar Rule 4-221(d), any complaint against a member resolved prior to the filing and docketing of a disciplinary case in the Supreme Court is not a matter of public record, and may not be revealed without a waiver from the member. It is the policy of the State Bar of Georgia to answer any inquiry about a member by disclosing only those complaints that have been docketed in the Supreme Court. With respect to matters that are currently pending as active, undocketed cases, when an inquiry is received, the State Bar of Georgia shall not disclose the existence of those complaints. Such non-disclosure should not be construed to confirm the existence of confidential complaints since the vast majority of members in good standing are not the subjects of such confidential complaints.

This member is currently in "good standing" as termed and defined by State Bar Rule 1-204. The member is current in license fees and is not suspended or disbarred as of the date of this letter.

STATE BAR OF GEORGIA

Official Representative of the State Bar of Georgia

#### MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

June 18, 2007

#### TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, ROBERT RICHARD LONG #219257 was admitted to the practice of law in this state by the Supreme Court of California on May 28, 2002; that from the date of admission to April 6, 2006 he was an ACTIVE member of the State Bar of California; that on April 6, 2006, he transferred at his request to the INACTIVE status; that he has been since that date, and is at date hereof, an INACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert

Custodian of Membership Records

NOTE: Only ACTIVE members of the State Bar of California are entitled to practice law in California. (See Sections 6006 and 6125, et seq., Business and Professions Code.)

### UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ROBERT P. "SKIP" CUMMINS, Plaintiff.

VS.

07-CV-4633 (JGK)

SUNTRUST CAPITAL MARKETS, INC., AMIT HAZAN, and JONATHAN BLOCK,

Defendants.

ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION

Upon the motion of Nelson A. Boxer, attorney for Defendants SunTrust Capital Markets, Inc., Amit Hazan, and Jonathan Block, and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that

Robert R. Long Alston & Bird, LLP One Atlantic Center 1201 West Peachtree Street Atlanta, GA 30309 Tel. (404) 881-4760 Fax (404) 253-8260 robert.long@alston.com

is admitted to practice pro hac vice as counsel for Defendants SunTrust Capital Markets, Inc., Amit Hazan, and Jonathan Block, in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the pro hac vice fee to the Clerk of Court.

This 22<sup>nd</sup> day of June, 2007.

Honorable John G. Koeltl United States District Judge

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ROBERT P. "SKIP" CUMMINS,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	07-CV-4633 (JGK)
	§	
SUNTRUST CAPITAL MARKETS,	§	
INC., AMIT HAZAN, and	§	
JONATHAN BLOCK,	§	
	§	
Defendants.	§	

## **CERTIFICATE OF SERVICE**

This is to certify that I have this day served the within and foregoing Pro Hac Vice Motion by First Class Mail to all counsel of record:

> Julius Glickman, Esq. Ashton Bachynsky, Esq. GLICKMAN & HUGHES, LLP 909 Fannin, Suite 3800 Houston, TX 77010

> Alan Heblack SNITOW KANFER HOLTZER & MILLUS, LLP 575 Lexington Avenue New York, NY 10022-6102

This 22<sup>nd</sup> day of June, 2007.